



United States Department of the Interior

FISH AND WILDLIFE SERVICE

1011 E. Tudor Rd.

Anchorage, Alaska 99503-6199

IN REPLY REFER TO:

DEC 4 2006

AFES/MMM

Mr. Jason Charton
Senior Environmental Coordinator
700 G Street, ATO-1446
P.O. Box 100360
Anchorage, Alaska 99510-0360

Dear Mr. Charton:

This responds to ConocoPhillips Alaska Inc. (CPAI) letter dated September 14, 2006, requesting a Letter of Authorization (LOA) for the incidental take of polar bears and Pacific walrus and the November 17, 2006, letter requesting intentional take of polar bears during the Intrepid Exploration Program near Barrow.

This letter includes a harassment authorization, where CPAI and its representatives are granted authorization to take polar bears by harassment (deterrent activities) for the protection of both human life and polar bears while conducting activities in polar bear habitat in all portions of the Intrepid Project. This authorization is issued specifically to CPAI employees who are responsible for ensuring that trained and qualified personnel are assigned the task to harass (deter) polar bears. In order to minimize polar bear and human interactions, thereby reducing the need for take, a 24-hour monitoring plan to record and observe polar bears in the area will be implemented. The monitoring plan will include systematic patrols of the Intrepid facilities by trained field personnel during the length of operations. Field personnel can include, but are not limited to project subsistence representatives and the night spill technician. It is the responsibility of CPAI personnel to report all polar bear harassment events to our Marine Mammals Management Office within 24 hours. This authorization is effective for the period, date of issuance to December 31, 2007. Intentional take is authorized under sections 109(h) and 112(c) of the Marine Mammal Protection Act.

Due to its location referenced in your plan of operations, the U.S. Fish and Wildlife Service (Service) will not be able to authorize incidental take to certain portions of the Intrepid project, since they are out of the geographic region of the Beaufort Sea incidental take regulations. These areas include the Intrepid #1, #2, and #3 drill sites, the ice road from Barrow, and proposed staging areas south of Barrow (Figure 1). However, the Service is able to issue a LOA for that portion of the Intrepid project that is located within the geographic region of the Beaufort Sea incidental take regulations. This includes the rolligon routes from Kuparuk through the NPR-A to Barrow and the Intrepid drill sites (Figure 2). Hence, in accordance with final

regulations, enclosed is a LOA (06-08) that allows CPAI to take small numbers of polar bears and Pacific walrus incidental to those Intrepid activities occurring within the geographic region of the Beaufort Sea incidental take regulations. This will include a portion of the rolligon route from Kuparuk.

Although we cannot authorize incidental take outside of the geographic region of the Beaufort Sea, the likelihood of encountering polar bears in and around the area of your exploration is potentially high. Any incidental take of polar bears or walrus that has not been authorized is a violation of the Marine Mammal Protection Act. Implementation of the 24-hour monitoring plan and other conditions required under the harassment authorization will also reduce the potential for incidental take throughout the project area.

Historical polar bear denning activity reveals that polar bear denning habitat occurs along creek cutbanks, coastal and river bluffs. Disturbance during denning could lead to abandonment of dens and possible mortality to cubs. Please note that five historical dens (as recent as 2003) have been recorded along the Chukchi Sea coast to the northwest of the Intrepid drill sites. Use caution when operating near these areas during the maternal denning period (mid November to mid April). Please contact us immediately if any dens are found during oil and gas activities. In addition, biologists with the Service are also available for consultation if questions or concerns arise regarding polar bears or walrus during this authorization.

Polar bear conservation has benefited from monitoring programs associated with the Incidental Take program since 1993. Monitoring serves to assess the effect of industrial activities on polar bears by evaluating trends and effects of bear encounter rates, take frequency, as well as the location and timing of encounters. In addition, Service biologists are available for consultation if questions or concerns arise during the project period at the phone numbers listed below and noted in your interaction plan.

This authorization is issued in accordance with our regulations listed at 71 FR 43926, dated August 2, 2006. Please review these regulations. Should you have any further questions contact Mr. Craig Perham of our Marine Mammals Management Office at (907) 786-3800 or 786-3810.

Sincerely,



Rosa Meehan, Ph.D.
Chief, Marine Mammals Management

Enclosures

cc: Mr. Richard Shideler, ADF&G
LE
FFWFO

MMM

ISSUED: November 27, 2006

EXPIRES: June 30, 2007

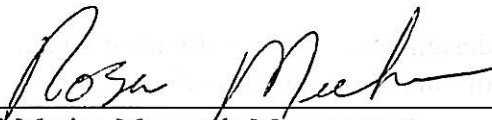
LETTER OF AUTHORIZATION
(06-08)

ConocoPhillips Alaska, Inc. (CPAI) is hereby authorized to take small numbers of polar bears incidental to activities occurring during the Intrepid exploration project. This includes, but is not limited to, the construction of a rolligon trail to access the Intrepid site south of Barrow from Kuparuk. The travel route for the rolligon trail will begin at the Kuparuk 2P Pad and terminate at the Intrepid exploration site. The LOA is valid from the date of issuance to June 30, 2007, or the close of tundra travel for the winter season of 2006-07, whichever comes first. This authorization and the required conditions below includes contractors of CPAI performing CPAI-approved work under the scope of operations to be conducted. Authorization is subject to the following conditions:

1. The November 2006 ConocoPhillips Polar Bear Avoidance and Human Encounter/Interaction Plan is approved and all provisions must be complied with unless specifically noted otherwise in this Letter of Authorization. A copy of this polar bear interaction plan must be available on site for all personnel.
2. CPAI Operations Managers, or their designates, must be fully aware, understand, and capable of implementing the conditions of this authorization.
3. Intentional take is prohibited under this authorization.
4. This authorization is valid only for those activities identified in the request for a Letter of Authorization dated September 14, 2006.
5. Polar bear monitoring, reporting, and survey activities must be conducted in accordance with 50 CFR section 18.128. In addition, CPAI must comply with the following monitoring, mitigation, and reporting requirements:
 - CPAI must cooperate with the Fish and Wildlife Service (Service), and other designated Federal, State, or local agencies to monitor the impacts of oil and gas exploration activities on polar bears and Pacific walrus;

- CPAI must not conduct activities that operate nor pass within 1 mile of known polar bear dens, and all observed dens must be reported to the Marine Mammals Management Office, Fish and Wildlife Service immediately. Should occupied dens be identified within one mile of activities, work in the immediate area will cease and Service must be contacted for guidance. The Service will evaluate these instances on a case-by-case basis to determine the appropriate action. Potential actions may range from cessation or modification of work to conducting additional monitoring, and CPAI must comply with any additional measures specified.
- CPAI must designate a qualified individual or individuals to observe, record, and report the effects of the activity on polar bears and Pacific walrus to the Service within 24 hours of visual observation;
- at the discretion of the Fish and Wildlife Service, CPAI must allow the Service to place an observer on the site to monitor the impacts of the activity on polar bears;
- CPAI must submit an annual monitoring report to the Marine Mammals Management Office as required under 18 CFR 18.128(f), which will be received by September 30, 2007.

6. This authorization expires June 30, 2007, or as of the close of tundra travel for the winter season of 2006-2007, whichever comes first.


 Chief, Marine Mammals Management

DEC 4 2006
 Date

AFES/MMM

U.S. Fish and Wildlife Service

AUTHORIZATION TO TAKE, BY HARASSMENT, POLAR BEARS

ISSUED: November 27, 2006
EXPIRES: November 27, 2007

Under Sections 109(h) and 112(c) of the Marine Mammal Protection Act of 1972, as amended, ConocoPhillips Alaska Inc. (CPAI) is authorized to take, by harassment, polar bears during exploration activities in association with the construction of a drill site/exploration pad for the Intrepid Project. These include, but are not limited to, CPAI's plans to construct a pad to drill exploration wells. The proposed start date for this project is early winter 2006.

The purpose of authorizing taking by harassment, or deterrence, is to maintain human and bear safety and welfare in the North Slope oilfields. Authorizing Level B harassment take reduces the likelihood of death or injury of polar bears. This is accomplished by the following objectives:

1. Prevent bears from associating food with humans and facilities
2. "Train" bears to avoid people
3. Allow bears to use travel routes (natural and man-made) to move along the coast
4. Prevent bears from extended use of areas around facilities
5. Prevent bears from entering the developed parts of the oilfield

Harassment authorization is subject to the following conditions:

1. The polar bear interaction plan (version: November 2006) is approved and all provisions, unless noted specifically, are incorporated into this Letter of Authorization by reference. A copy of the polar bear interaction plan must be available on site for all personnel.
2. CPAI Operations Managers, or their designates, must be fully aware, understand, and capable of implementing the conditions of this authorization.
3. This authorization is restricted to harassment activities.

THE HISTORY OF THE UNITED STATES

By J. M. Smith

The history of the United States is a story of the growth of a great nation from a small colony of English settlers. The first settlers came to the New World in 1492, and the first permanent settlement was founded in 1607. The United States was declared independent in 1776, and the Constitution was adopted in 1787. The country has since grown to become one of the most powerful nations in the world.

The United States has a long and rich history, and it is a country that has made many contributions to the world. The United States has been a leader in the development of science, technology, and industry. It has also been a leader in the promotion of democracy and human rights.

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4. A 24-hour monitoring plan to record and observe polar bears in the area must be implemented to minimize polar bear and human interactions, thereby reducing the potential for take. The monitoring plan must include systematic patrols of the Intrepid facilities by trained field personnel during the length of operations. Field personnel can include, but are not limited to project subsistence representatives and the night spill technician. Authorized individuals are responsible for documenting and reporting to the U.S. Fish and Wildlife Service, Marine Mammals Management Office, (907) 786-3800, all instances involving harassment activities as soon as possible and not later than 24 hours after the occurrence.
5. Activities will not operate nor pass within 1 mile of known polar bear dens, and all observed dens will be reported to the Marine Mammals Management Office, Fish and Wildlife Service immediately. Should occupied dens be identified within one mile of activities, work in the immediate area will cease and the Service will be contacted for guidance. The Service will evaluate these instances on a case-by-case basis to determine the appropriate action. Potential responses may range from cessation or modification of work to conducting additional monitoring.
6. A final report of all encounters and hazing events must be submitted to the U.S. Fish and Wildlife Service, Marine Mammals Management Office within 60 days from the expiration date of this authorization.
7. Hazing techniques must not cause the injury or death of a bear. Types of hazing techniques may include, but are not limited to:
 - Bear Monitors
 - Air horns
 - Electric fences
 - Chemical repellents
 - Acoustic recordings
 - Vehicles
 - Projectiles: cracker shells, bean bags, rubber bullets, screamers, etc.
8. Prior to conducting a harassment activity, operators must:
 - Reduce/eliminate attractants
 - Secure site; notify supervisor; move personnel to safety
 - Ensure bear has escape route(s)
 - Ensure communication with all personnel
9. When conducting a harassment activity, operators must:
 - Chose the method that will have the least effect on the bear and increase the intensity of the method or use additional methods only if necessary
 - Shout at the bear before using projectile (avoidance conditioning)

- Move bear in proper direction; continue with minimally necessary deterrents to receive desired result

10. After a harassment event has occurred, operators must:

- Monitor bear movement (to ensure no return)
- Notify supervisor and personnel to resume work
- Fill out report to be sent to the Service as required under condition 4 (within 24 hours)

11. This Authorization is valid for the period indicated on this authorization, unless extended or terminated in writing by the U.S. Fish and Wildlife Service, Marine Mammals Management Office.

Signed: _____

Rosa Mich

DEC 4 2006

Date: _____

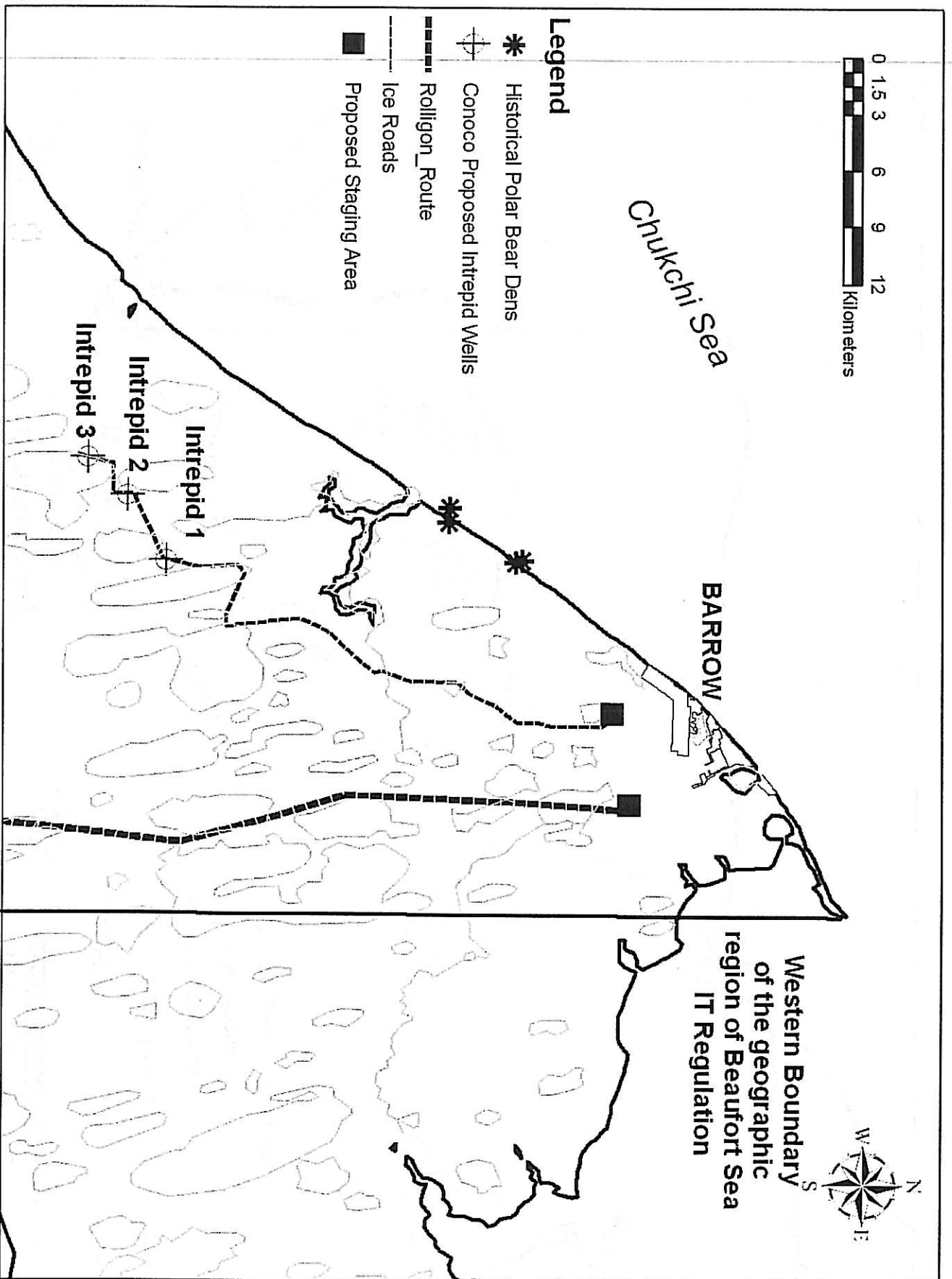


Figure 1.

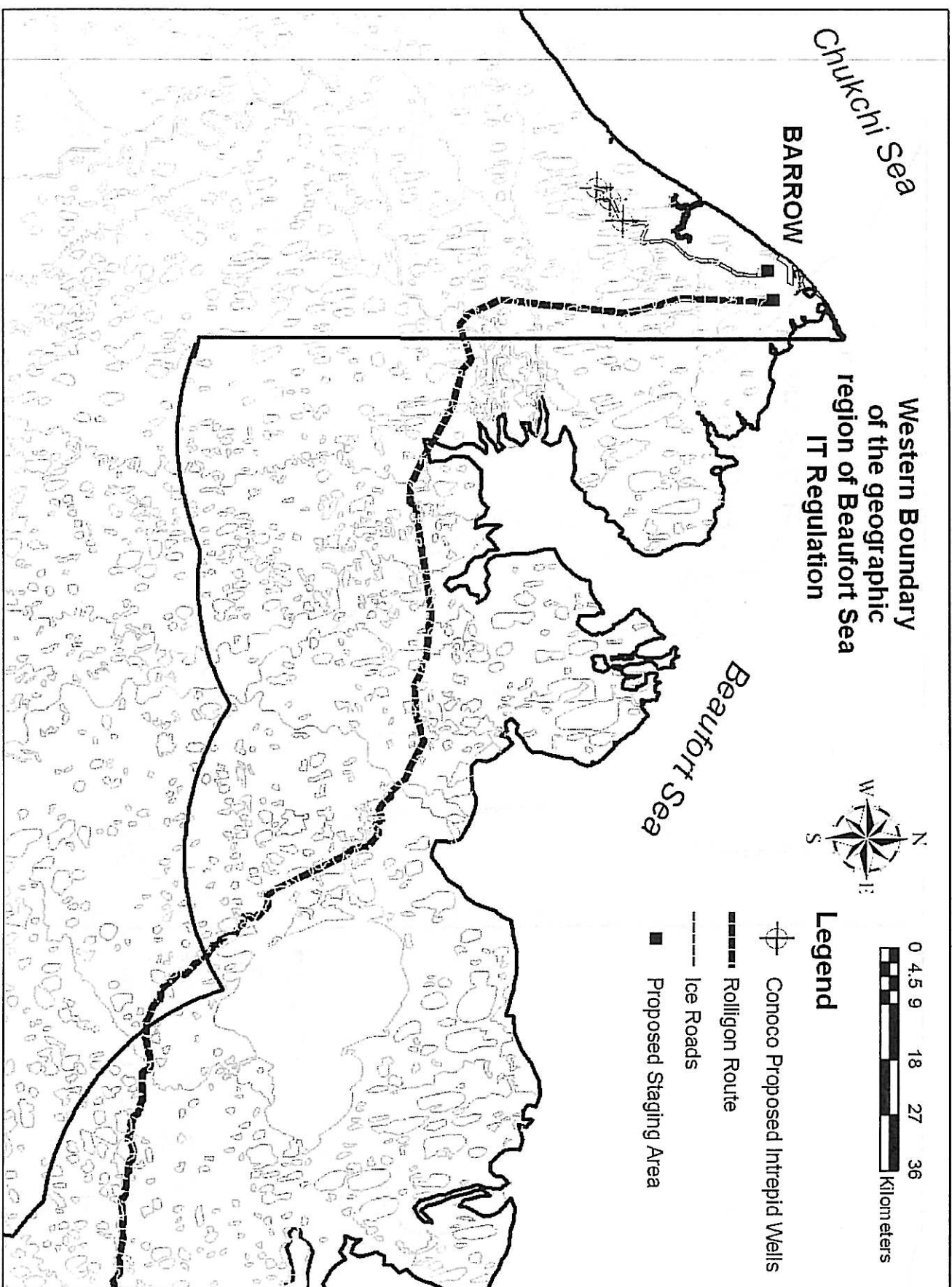


Figure 2.